REMARKS

Reconsideration of the pending application is respectfully requested in view of the foregoing amendments and the following remarks.

Status of the Application

Claims 11, 13-17 and 27-30 are currently pending, with claims 1-10, 12 and 18-26 having been cancelled without prejudice. Of the currently pending claims, claims 11 and 13-17 are amended, and claims 27-30 are new. As all of the amended and new claims are fully supported by the application as filed, no new matter has been introduced into the application by way of this amendment.

Summary of the Office Action

Claim 1 is rejected under 35 U.S.C. § 112, second paragraph, as allegedly being unclear.

Claims 11-17 are rejected under 35 U.S.C. § 103(a) as being obvious over U.S. Published Application No. 2002/0131572A1 ("Paradis") in view of U.S. Published Application No. 2003/0014284A1 ("Jones").

Claims 18-24 are rejected under 35 U.S.C. § 103(a) as being obvious over Paradis in view of U.S. Patent 6,389,454 ("Ralston et al.").

Claims 25-26 are rejected under 35 U.S.C. § 103(a) as being obvious over Paradis in view of Ralston et al. in further view of Jones.

Discussion

The Office Action submits that Paradis discloses and teaches each of the method steps included in claims 11-17, with the exception of the grouping relation aspect. *See* Office Action, p. 3. Applicant respectfully submits that the method described in independent claims 11 and 27 are patentable over the art of record.

The method of claim 11 describes a method for optimizing the scheduling, via a medical information system, a plurality of exams for a patient. The method comprises: (a) grouping into a grouping relation, by the medical information system, exams available to all patients having at least one resource in common, wherein resource is a location, a therapy, a

device or a person; (b) inputting into the medical information system the plurality of exams for the patient; (c) selecting one of the plurality of exams for scheduling; (d) determining, by the medical information system, whether there exists a grouping relation between the selected exam and one or more of the plurality of exams for the same patient that were not selected; (e) displaying by the medical information system a listing of those exams from the plurality of exams for the patient that have a grouping relation; (f) selecting at least one other exam from the listing to be co-scheduled with the selected exam; (g) co-scheduling the exam selected in step (c) and the at least one other exam selected in step (e) for a continuous period of time.

The method thus provides *inter alia* a method by which a plurality of exams may be co-scheduled based on a grouping relation between a selected exam and a non-selected exam or exams, and permitting a plurality of exams that have a grouping relation to be co-scheduled for a continuous period of time.

In contrast, Paradis does not teach a method of optimizing a patient's schedule when that patient requires a plurality of exams. Instead, Paradis teaches a method of scheduling a single "task" for a patient. Specifically, Paradis requires a user to identify a single "task" to be scheduled for the patient, *e.g.*, surgery, treatment, physical examination, and the resources required for that task, with the system then "determining whether or not there are available times for scheduling the required resources." *See* Paradis, ¶¶ [0016], [0020]. Paradis then teaches that the patient's and the resources' schedules are loaded from a database and an overlap in availability is identified for purposes of scheduling the single "task". *See* Paradis, ¶ [0020]. The user is presented with several choices of available times for the task appointment and accepts one of the choices. *Id.*

Paradis is thus a "matching" system for a single "task"—a system which is limited to searching for availability of resources identified as necessary by a user who is scheduling the "task". Once the resources are available, the single task is scheduled.

In marked contrast, the claimed method optimizes the scheduling of a plurality of examinations, wherein *inter alia* a plurality of exams may be entered into the system, one of the plurality of exams is selected by a user for scheduling; the medical information system then determining whether there exists a grouping relation between the selected exam and one